

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEApplicant or
Patentee: **Gerhard WEIGLHOFER, et al.**Attorney Docket: **24461-0003US**

Serial Number: (to be assigned)

Filing Date: **November 20, 1998**Title: **3D STEREO REAL TIME SENSOR SYSTEM, METHOD, AND COMPUTER PROGRAM THEREFOR****VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(d) and 1.27(b-d)) - Small Business Concern****DECLARANT'S RIGHTS AS A SMALL ENTITY - Small Business Concern**☐ the owner of the small business concern identified below:☒ an official of the small business concern empowered to act on behalf of the concern identified below:NAME OF CONCERN: **3-D IMAGE PROCESSING GMBH**

ADDRESS OF CONCERN: _____

I hereby declare that the above identified small business concern qualifies as a small business concern, as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both. This statement is in regard to the invention entitled

3D STEREO REAL TIME SENSOR SYSTEM, METHOD, AND COMPUTER PROGRAM THEREFOR

and described in:

☒ the specification filed concurrently herewith.☐ Application Serial No. _____

, filed on _____

☐ patent number _____

, issued _____

OWNERSHIP OF INVENTION BY DECLARANT

I hereby declare that rights under contract or law remain with and/or have been conveyed to the above identified concern. EXCEPT, that if the rights held are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held (1) by any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, (2) any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or (3) a nonprofit organization under 37 CFR 1.9(e).

☒ no such person, concern, or organization☐ person, concerns or organizations listed below*

* NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention as small entities. (37 CFR 1.27)

Full Name: **N/A**

Address: _____

Status

☐ Individual☐ Small Business concern☐ Nonprofit Organization**ACKNOWLEDGMENT OF DUTY TO NOTIFY PTO OF STATUS CHANGE**

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, of any application or patent issuing thereon, or any patent to which this verified statement is directed.

NAME Of Person Signing : _____

TITLE Of Person Signing: _____

SIGNATURE _____

DATE _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEApplicant or Patentee: **Gerhard WEIGLHOFER, et al.**

Serial or Patent No.: (to be assigned)

Attorney Docket No.: **24461-0003US**Filed or Issued: **November 20, 1998****For: 3D STEREO REAL TIME SENSOR SYSTEM, METHOD, AND COMPUTER PROGRAM THEREFOR****VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(F) AND 1.27(B) - INDEPENDENT INVENTOR**

As below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled **3D STEREO REAL TIME SENSOR SYSTEM, METHOD, AND COMPUTER PROGRAM THEREFOR**.

☒ the specification filed concurrently herewith
☐ application serial no. _____
☐ patent no. _____, issued _____

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below.

☐ no such person, concern, or organization
☒ persons, concerns or organizations listed below*

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to the status as small entities. (37 CFR 1.27)

FULL NAME: **3-D IMAGE PROCESSING GMBH**

ADDRESS:

☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any application any patent issuing thereon, on any patent which this verified statement is directed.

Name Of Inventor
Gerhard WEIGLHOFER

Name Of Inventor
Fritz PAUKER

Name Of Inventor
Rolf HENKEL

Signature of Inventor

Signature of Inventor

Signature of Inventor

Date

Date

Date

Declaration, Power of Attorney (US and PCT) and Petition for Priority

I (WE), the undersigned inventor(s), (each) hereby declare that:

My residence, post office address and citizenship is as stated below next to my name,

I (We) believe that I (we) am (are) the original, first and joint inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

3D STEREO REAL-TIME SENSOR SYSTEM, METHOD, AND COMPUTER PROGRAM THEREFOR
which has in the offices of the law firm of Heller Ehrman White & McAuliffe the Attorney Docket number 24461-0003US, the specification of which:

☒ is attached hereto.

☐ was filed on: _____ as Application Serial No.: _____
and amended (if applicable) on: _____

☐ was filed as PCT International Appl. No.: _____ on: _____
and amended under PCT Article 19 (if applicable) on: _____

I (We) hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I (We) acknowledge the duty to disclose information known to be material to the patentability of this application as defined in Section 1.56 of Title 37 Code of Federal Regulations.

I (We) hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or under §365(a) of any PCT International application which designated at least one country other than the United States, listed below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT International application having a filing date before that of the application on which priority is claimed. Prior Foreign Application(s):

Foreign Application No.	Country	Day/Month/Year	Priority Claimed	
P 197 52 047.2	Germany	24 November 1997	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
P 198 51 993.1	Germany	11 November 1998	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

I (We) hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

Provisional Application Number	Filing Date
None	

I (We) hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States or PCT application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I (We) acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

US or PCT Application Serial No.	Filing Date	Status (pending, patented, abandoned)
None		

And I (We) hereby appoint the following persons:

Jacques M. DULIN	USPTO Reg. No. 24,067
Robert F. DENNIS	USPTO Reg. No. 40,988
Gordon Stewart	USPTO Reg. No. 30,528
David Hall	USPTO Reg. No. 32,233
Derek Freyberg	USPTO Reg. No. 29,250

as attorneys and agents, with full powers of substitution and revocation, to prosecute this application, to insert the application number and filing date of this application hereon after filing, and to transact all business in the Patent Office connected therewith; and we hereby request that all correspondence regarding this application be sent to Jacques M. Dulin, Esq., Heller Ehrman White & McAuliffe, 525 University Ave, Palo Alto, CA 94301-1900, Phone number 650-324-7000 (Fax 650-324-0638).

And I (We) hereby appoint the above named attorneys as agents to act on Applicant's behalf before all the competent International Authorities in connection with any Patent Cooperation Treaty International Application based on this application and before all corresponding designated and elected National Patent Offices upon National Stage filing from the aforesaid International Application, and to make or receive payments on behalf of the undersigned.

I (We) declare that all statements made herein of my (our) own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18, United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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(Signature)

(Date)

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Same

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Fritz PAUKER

(Signature)

(Date)

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Name Of Third Inventor:

Rolf HENKEL

(Signature)

(Date)

Residence:

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Citizen of:

Germany

Post Office Address:

Same